

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA

v.

JESSE JAMES BURNETT;  
DANIEL SAYDEE CISSE; and  
SHAQUIEL ANTHONY MENDEZ

**SUPERSEDING**  
**INDICTMENT**

Case No. \_\_\_\_\_

Violations: 18 U.S.C. §§ 1512(a)(2)(A),  
1512(a)(2)(C), 1512(k), 924(c)(1), 924(j) and  
2; 21 U.S.C. § 846

**COUNT ONE**

**Conspiracy to Tamper with a Witness**

The Grand Jury Charges:

From in or about January 2023, in the District of North Dakota,

JESSE JAMES BURNETT;  
DANIEL SAYDEE CISSE; and  
SHAQUIEL ANTHONY MENDEZ

did knowingly and intentionally combine, conspire, confederate, and agree together and with others, both known and unknown to the grand jury, to use physical force or the threat of physical force with intent to: (1) influence, delay, or prevent the witness from testifying in an official proceeding, namely, a federal grand jury and trial, and (2) hinder, delay, or prevent the witness from communicating to law enforcement about a possible federal criminal offense, in violation of Title 18, United States Code, Sections 1512(a)(2)(A), 1512(a)(2)(C), and 2.

**Overt Acts**

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. JESSE JAMES BURNETT received discovery materials related to the joint state and federal investigation into marijuana trafficking and the murder of Santino Marial that occurred on August 28, 2020, in Fargo, North Dakota;

2. Co-conspirators disseminated the discovery materials and planned to assault a witness cooperating with the investigation who had implicated JESSE JAMES BURNETT in the murder of Santino Marial;

3. On January 14, 2023, co-conspirator DANIEL SAYDEE CISSE assaulted the witness in the Cass County Jail in Fargo, North Dakota, by punching, kicking, and stabbing him with a pencil;

4. It was further a part of said conspiracy that the purpose of the assault was to influence, delay, or prevent the witness from testifying in court; and

5. It was further a part of said conspiracy that the purpose of the assault was to hinder, delay, or prevent the witness from communicating to law enforcement about a possible federal criminal offense;

In violation of Title 18, United States Code, Section 1512(k); Pinkerton v. United States, 328 U.S. 640 (1946).

COUNT TWO

**Witness Tampering**

The Grand Jury Further Charges:

On or about January 14, 2023, in the District of North Dakota,

DANIEL SAYDEE CISSE

did use physical force or the threat of physical force against a person with intent to influence, delay, or prevent the witness from testifying in an official proceeding, namely, a federal grand jury and trial;

In violation of Title 18, United States Code, Sections 1512(a)(2)(A) and 2.

COUNT THREE

**Witness Tampering**

The Grand Jury Further Charges:

On or about January 14, 2023, in the District of North Dakota,

DANIEL SAYDEE CISSE

did use physical force or the threat of physical force against a person with intent to hinder, delay, or prevent the witness from communicating to law enforcement about the commission of a possible federal criminal offense;

In violation of Title 18, United States Code, Sections 1512(a)(2)(C) and 2.

COUNT FOUR

**Conspiracy to Possess with Intent to Distribute and  
Distribute a Controlled Substance**

The Grand Jury Further Charges:

From in or about January 2020 through February 2021, in the Districts of North Dakota, Minnesota, California, and elsewhere,

JESSE JAMES BURNETT,

did knowingly and intentionally combine, conspire, confederate, and agree together and with Zoepeawon Moore, a/k/a Chief Executive, currently indicted in the District of North Dakota in case number 3:22-cr-00212, and others, both known and unknown to the grand jury, to possess with intent to distribute and distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

Overt Acts

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. It was a part of said conspiracy that the defendant and others did agree and attempt to possess with intent to distribute and distribute a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance, in North Dakota, Minnesota, California, and elsewhere;

2. It was further a part of said conspiracy that the defendant and others would and did attempt to conceal their activities;

3. It was further a part of said conspiracy that the defendant and others would and did use telecommunication facilities;

4. It was further a part of said conspiracy that the defendant and others would and did use United States currency in their drug transactions;

5. It was further a part of said conspiracy that co-conspirators would and did use and possess firearms to further the conspiracy; and

6. It was further a part of said conspiracy that co-conspirators used violence and the threat of violence to further the conspiracy;

All in violation of Title 21, United States Code, Section 846; Pinkerton v. United States, 328 U.S. 640 (1946).

COUNT FIVE

**Use of a Firearm During and In Relation to a  
Drug Trafficking Crime Resulting in Death**

The Grand Jury Further Charges:

On or about August 28, 2020, in the District of North Dakota,

JESSE JAMES BURNETT

did knowingly use, carry, and brandish and discharge a firearm during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: JESSE JAMES BURNETT used, carried, brandished, and discharged a firearm during and in relation to the crimes of Conspiracy to Possess with Intent to Distribute and Distribute a Controlled Substance, as set forth in Count Four, which resulted in the death of Santino Marial;

In violation of Title 18, United States Code, Sections 924(c)(1), 924(j) and 2.

A TRUE BILL:

/s/ Foreperson  
Foreperson

/s/ Mac Schneider  
MAC SCHNEIDER  
United States Attorney